

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

COUNTRYWIDE HOME LOANS, INC.,)	
)	Case No. 1:06-CV-00945
Plaintiff,)	
)	JUDGE ANN ALDRICH
v.)	
)	
DENIS L. CARPENTER, et al.,)	
)	
Defendants.)	<u>ORDER</u>
)	
)	

Before the Court is Country Wide Home Loans, Inc.'s motion for default judgment and decree in Foreclosure, to obtain judgment upon the note as described in the complaint, to foreclose the lien of the mortgage securing the obligation of such note upon the real estate described herein, and to require all parties to set up their claims to the real estate or be barred.

The Court finds that: (1) the defendants Denis L. Carpenter, Jennifer L. Carpenter, and unknown tenants are in default of motion or answer; and (2) the Clerk's entry of default was filed herein on May 22, 2006.

Accordingly, the Court takes the allegations contained in the Complaint as true, including that there is due and owing to the Plaintiff against Denis L. Carpenter in the amount of \$115,524.83, plus interest on outstanding principal balance due at the rate of 6.00% from June 1, 2005.

The note is secured by the mortgage held by the plaintiff, which mortgage constitutes a valid and first lien upon the following described premises (the "Property"):

Situated in the City of South Euclid, County of Cuyahoga, and State of Ohio:

And known as being the westerly 12 feet of subplot No. 118 and all of subplot No. 119 in the citizens land and improvement company's "Prasse Homestead" subdivision of paart of original Euclid Township lot No. 29, tract No. 6, as show by the recorded

plat in volume 49 of maps, page 15 of Cuyahoga County Records and together forming a parcel of land having a frontage of 38.23 feet on the southerly side of Presse Road, and extending back 160 feet on the easterly line, 160 feet on the westerly line (said westerly line being also the easterly line, of Francis Road, (formerly Francis Court), and having a rear line of 40.32 feet, as appears by said plat be the same more or less but subject to all legal highways

Parcel No. 703-02-001

Commonly known as: 4322 Presse Road, South Euclid, Ohio 44121

Taking as true the allegations contained in the complaint, the Court finds that the mortgage was filed for record on March 21, 2003 as Instrument Number 200303210131 in the Cuyahoga County Recorder's Office; that the mortgage, together with the note, was assigned to plaintiff by an assignment of mortgage filed for record on May 3, 2006 as Instrument Number 200605030583 of the Cuyahoga County Recorder's Office; that the conditions of said mortgage have been broken; and that plaintiff is entitled to have the equity of redemption of the defendant-titleholder foreclosed.

IT IS THEREFORE ORDERED, that unless the sums herein above found to be due to plaintiff and the costs of this action be fully paid within ten (10) days from the date of the entry of this decree, the equity of redemption of the defendant-titleholder in said real estate shall be foreclosed and the real estate sold, free and clear of the interest of all parties herein.

IT IS SO ORDERED.

/s/Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: November 17, 2006